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OFFICE OF PETITIONS

In re Application of
Francesco Di Pierro
Application No: 09/781,301
Filed: February 13, 2001
Attorney Docket No. 7914-073

DECISION ON PETITION

This is a decision on the petition under 37 CFR §1.137(b), filed May 23, 2002 to revive the above-identified application.

This above-identified application became abandoned for failure to file a proper response to a non-final Office Action which was mailed on September 18, 2001. The non-final Office Action set a three (3) month shortened statutory period for reply. A three month extension of time was obtained under the provisions of 37 CFR §1.136(a). An improper Request for Continued Examination (RCE) was filed on March 18, 2002. Accordingly, this application became abandoned on March 19, 2002. A Notice of Abandonment was mailed on April 29, 2002.

The requirements for a grantable petition under 37 CFR §1.137(b) have been met. This petition is hereby **Granted**.

As per petitioner's request deposit account 16-1150 has been charged the \$1280.00 petition fee.

The above-identified application is being revived solely for purposes of continuity. As continuity has been established by this decision reviving the above-identified application, the above-identified application is again abandoned in favor of Continuation-in-Part Application No. 10/152,805.

Petitioner has also requested a refund of the \$740.00 submitted in conjunction with the RCE a review of the record shows the \$740.00 was already refunded to deposit account 16-1150 on July 5, 2002.

This application is being forwarded to the files repository.

Telephone inquiries concerning this matter should be directed to the undersigned at (703) 306-0251.

Charlema R. Grant

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